

IN THE CLAIMS

Claims 1-17 (cancel without prejudice or disclaimer)

18. (new) A semiconductor device comprising:

a dielectric layer formed between a conductive layer and upon a silicon substrate, the dielectric layer comprising a layer of silicon oxide, SiO<sub>x</sub>, wherein x is less than 2, and having a dielectric constant greater than about 3.9 and less than or equal to about 12.

19. (new) The semiconductor device of Claim 18, wherein the layer of silicon oxide has a thickness of less than or equal to about 5Å.

20. (new) The semiconductor device of Claim 18, wherein the dielectric layer further comprises at least a second layer of silicon oxide, SiO<sub>x</sub>, wherein x is less than 2, and having a dielectric constant of about less than or equal to about 12.

21. (new) The semiconductor device of Claim 20, wherein the second layer of silicon oxide has a thickness of less than or equal to about 5Å.

22. (new) A transistor comprising:

an electrode;

..

a silicon substrate; and

a gate dielectric layer formed between the electrode and the silicon substrate, the gate dielectric layer comprising at least one layer of silicon oxide, SiO<sub>x</sub>, wherein x is less than 2, and having a thickness of about 5Å and a dielectric constant greater than about 3.9 and less than or equal to 12.

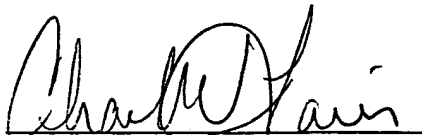
23. (new) The transistor of Claim 22, wherein the gate dielectric layer comprises at least a second layer of silicon oxide, SiO<sub>x</sub>, wherein x is less than 2, having a thickness of less than or equal to about 5Å and a dielectric constant of less than or equal to about 12.

#### REMARKS

For the foregoing reasons, applicant respectfully submits that the foregoing claims, as amended, are allowable. A Notice of Allowance for Claims 18-23 is respectfully requested. Should it facilitate allowance of the application, the Examiner is invited to telephone the undersigned attorney. The Commissioner is hereby authorized to charge any additional payment that may be due or credit any overpayment to Deposit Account No. 08-2395.

Respectfully submitted,

HITT GAINES, P.C.



Charles W. Gaines

Registration No. 36,804

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P.O. Box 832570  
Richardson, Texas 75083  
(972) 480-8800